

The Committee Appointed by the Town of Medway at a Legal meeting To take under Consideration the form of Civil Government Agreed upon & Published by the late Convention, & to report to the Town, their Sentiments relating to the Form of Government & Such amendments therein as they Shall think Proper, Having Attended to the Several Parts & Articles Containd in the Declaration of rights & form of Government, have thought Proper the following Amendments in the Particular Articles hereafter mentioned. viz

The Address of the Convention appears to us, not only Polite, but very Possible yet. we Confess the same as being no part of the Constitution & nothing more than to Show the Principles on Which the Convention Proceeded in framing the Several parts thereof. The Preamble to the Bill of rights & form of Government. We make No Objections to Either of them

Declaration of rights &c: Article 1. accepted

The 2. & 3. Art. We think Ought to be Reduced to One Article. to be Inserted in the following Words. viz

It is the right as well as the Duty of all men, in Society, Publickly, to Worship the Supreme being, the great Creator & Preserver of the Universe, And no Subject Shall be hurt molested Or Restrained in his Person Liberty Or Estate for Worshipping God in the manner & Season most Agreeable to the Dictates of his Own Conscience, Or for his Religious Profession Or Sentiments, Provided he doth not Disturb the Publick peace, Or Obstruct Others in their religious Worship, & Every Denomination of Christians demeaning themselves Peaceably & as Good Subjects of the Common Wealth Shall be Equally under the Protection of the Law, And no Subordination of any One Sect Or Denomination to another, Shall ever be Established by Law, The reason we offer for this Amendment, is because we think. Sufficient Provision is made in the 10<sup>th</sup> Article for the Support & Protection of Civil & Religious Societies, And that, as the rights of Conscience are matters of a Sacred Nature we think no Attempt ever Ought to be made Whereby those rights may be infringed. Or given up to any man Or body of men Whatsoever

Page 14<sup>th</sup> The 29<sup>th</sup> Article We think is Exceptionable Especially that part thereof Which Admits the Judges of the Supreme Judicial Court, to hold their offices So long as they behave themselves Well & the Ascertaining their Salaries by Standing Laws, As the office of the Judges are of Such a Nature & importance, both to the State & Subject we think that their Appointment Ought to be made Once in 7 years, & although the Judges Ought to be made as independent On the People for Support as may be, Nevertheless On the Principle that the Labourer is Worthy of his hire we think that the Support of the Judges Ought to be granted by the General Court Annually. & that the Grants Ought to be made in Proportion to their Merits Characters & Publick Services

Frame of Government

Page 17 & 18: The 4<sup>th</sup> Article We think is Exceptionable Especially that part thereof Whereby the General Court is Empowred to impose & Levy Duties & Excises On the Produce & manufactures of this State &c. As we Can See no Publick Advantages which Can Arise from the imposing Excises on the Manufactures & Produce of this State, We think, that this Article Ought to be Amended in Such a manner, as that the General Court Shall not be Empowred to impose Or Levy any Duties on any of the manufactures or Produce of this State, Nor on any Imported Articles which may justly be termed the Necessaries of Life. The Reason we offer for this Amendment is because we think. the imposing Duties on the Produce & manufactures of this State will have a Tendency to Discourage & Prevent the Increase thereof, Besides we think that no Duties Ought to be imposed on any Necessary Article Whatsoever, Because the Consumers of those Articles will be Obliged to pay an unequal Proportion in the Publick Charges, Furthermore we think that if a part of this Article Ought to be Amended in such a manner as that a New Valuation of rateable Estate shall be Taken Once in Every 6 years at least instead of the 10 years therein mentioned, the reason for this Amendment is because of various ways by Which rateable Property & faculties are Enlarged or Diminished, that thereby the Several Towns in this State may be Taxed an equal & just Proportion as near as may be Towards the Publick Charges



Page 18 & 19. Senate, Article 1. This article We think Exceptionable.  
Because We can See Publick Advantages Resulting from So large a Number of  
Persons to be Elected for Counsellors & Senators, And Are Led to think that  
the Number of 40 to be Elected in the Manner Propos'd, Will Admit 29. therefore  
are of Opinion that the N<sup>o</sup>. of 40 Ought to be Reduced to 28 exclusive of the  
Lieut Governor, To be Elected for each District in the same Proportion as near  
as may be, that the N<sup>o</sup>. of 40 are to be Elected, & that they be Elected by the  
members of the General Court in One Room, To be a Council & Senate vested  
with all the Powers & Authorities, that the Senate & Council are vested with  
by this form of Government, & that Not Less then 9 members of the Senate to  
Constitute a Quorum to do Publick Business.

Page 24. House of Representatives. The 2 Article We think Exceptionable  
Because by that mode of Representation, The Number of Representatives Each Town is to  
be intitled to Elect, may be Ascertained Not only by freeholders & Inhabitants of the  
Same Town, But by those Who are foreigners minicks & Servants Who are Unqualified  
to vote in the Choise of a Representative Which way Appears to us Not Only Unequal  
but an unjust mode of Representation. Besides this mode we Apprehend  
Will Admit of a Number of Representatives much too Large to Assemble in One room to  
Transact the Publick Business of the State. Therefore are of Opinion that this Article  
Ought to be Amended in the following manner. viz  
That Every Incorporated Town Containing 500 Persons being Qualified to vote in the  
Choise of a Representative, may Elect one Representative, & Every Such Town Containing  
300 Such voters may Elect 2 Representatives, Every Such Town Containing 600 Such  
Voters may Elect 3 Representatives & Every Such Town Containing 1000, Such  
Voters may Elect 4 Representatives Every Such Town Containing 1500 Such  
Voters may Elect 5 Representatives & Every Such Town Containing 2100 Such  
voters may Elect 6 Representatives & Every Such Town Containinly 2800 Such  
Voters may Elect 7 & no Town Shall be intitled to Elect more then 8 Representatives

Page 29. Governor & Article 5. We apprehend that Some Danger may arise  
from the Power in the Governor, to Prorogue the General Court in the recess thereof  
for So long a time as 90 days, Therefore are of Opinion that the Prorogation  
Ought not to exceed the Term of 30 Days. Furthermore We think that it Ought  
to be the Duty of the Governor, to Inform the General Court, At the Opening of Every  
Session of the Circumstances of the State & from time to time to Recommend  
Such matters to their Consideration as Shall appear to him to Concern the Good  
Government Safety & Prosperity of the Same

Page 34. Article 13. This Article We think is Exceptionable Especially that part  
thereof Whereby a Certain Way is Adapted to Support the Governor & Judges of the  
Superior Court by Standing Laws,  
Although the Governor & Judges of the Supreme Judicial Court Ought to be made  
as independent On the People for Support as may be, Nevertheless On the Principle  
that the Labourer is Worthy of his hire, We think that the Governor & Supreme  
Judges Ought to be Honourably Supported by the Annual Grants of the General  
Court & that those Grants Ought to be made in Proportion to their Honourable  
Charactors & Publick Services

Counsellors Page 36.



Page 36, Chap 2 Section 3 Counsellors &c

The 1 & 2 Articles Providing for the Annual Election of 9 Persons for the Sole Purpose of Advising the Governor in the Execution of his office

This Election we apprehend will be altogether Needless & Attended with unnecessary Expence. Although it is Prudent that the Governor Should have good Advice & Council in the Execution of his office, yet we can see no Reason why the Governor cannot readily Obtain as good Advice & Council from the Senate as he can from a Number of Persons Elected Solely for that Purpose. Therefore, We think that the four first Articles in this Section Ought not to be Adapted

Page 47 & 48. Chap 6, Article 2, Ascertainning a Number of Publick officers, Who for the importance of their offices are Excluded, a Seat in the General Court. We apprehend that the 3<sup>d</sup> Exclusions are founded in Reason & On the Principles of good Policy, & On the Same Principles we think that the Settled Ministers of the Gospel being Pastors of Churches Ought to be Excluded the Same Seats also. Furthermore we are of Opinion that the office of Register of Deeds Ought to be Excepted in the 3<sup>d</sup> Exclusion, & that Provision Ought to be made Whereby all Deeds & Conveyances of Land, Or any Real Estate Lying or being within any Town may be Recorded in the Same Town & that a Register of Deeds may be Appointed in each Town for that Purpose

The foregoing Report being read in Publick Town meeting, & a vote <sup>being</sup> Put On each Amendment the Same appeared to be Agreeable to the majority of the Inhabitants Present at the meeting on the 5<sup>th</sup> & 6<sup>th</sup> of June 1790

Whereas the Convention Appointed to form a Constitution of Civil Government having Recommended to the Several Towns & Plantations in this State to Empower their Delegates, At the Next Session of the 2<sup>d</sup> Convention, To Agree On a Time When the 2<sup>d</sup> form of Government shall Take place, Without Returning the Same again to the People &c

Therefore Put to vote to See if it be the mind of the Town to Empower the Delegate of this Town for the Convention aforesd, At their Next Session to Agree On the Time when the 2<sup>d</sup> form of Government shall take place, Provided the same shall then be made Agreeable to the Collected Sentiments of two thirds of the People in this State, Without Returning the same with the Amendments therein made again to the People for their Consideration & Consideration

Resolved in the Negative

Put to vote to See if the Town will Instruct their Delegate to use his Influence in the Convention to Cause the form of Government, When Amended Agreeable to the Collected Sentiments of two thirds of the People to be again Return to the People for their Approbation or Disapprobation

Resolved in the Affirmative

Copies Taken from the Minutes of the Town Proceeding &c

pmk & Clark



Town Proceedings  
On form of Government  
June 1780

Amendments On  
form of  
Government 1780

(MS. 860)